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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/438,184      | 11/11/1999  | RON MCCABE           | 1735.2.2            | 8995             |

20575 7590 09/07/2006

MARGER JOHNSON & MCCOLLOM, P.C.  
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PORTLAND, OR 97204

EXAMINER

REILLY, SEAN M

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2153     |              |

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Another Examiner has been assigned to this application.

***37 CFR § 1.105 – Request for Information***

1. Applicant and the assignee of this application are required under 37 CFR § 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application. The information is required to complete the background description in the disclosure by further documenting Applicant's Off-SiteServer product which Applicant admits was commercially available more than one year before the date of the present application (see Applicant's specification pg1).

In response to this requirement, please provide copies of the following:

- A) Any manual for Applicant's Off-SiteServer product that was publicly available one year before Applicant's filing date.
  - B) Any other Off-SiteServer product documentation that describes data mirroring and was publicly available one year before Applicant's filing date.
2. The fee and certification requirements of 37 C.F.R. § 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. § 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 C.F.R. § 1.105 are subject to the fee and certification requirements of 37 C.F.R. § 1.97.
3. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an

item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

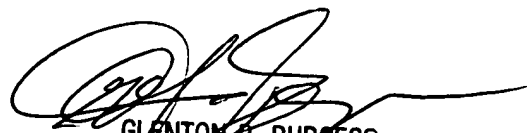
4. This requirement is an attachment of the enclosed Office action. A complete response to the enclosed Office action must include a complete response to this requirement. The time period for reply to this requirement coincides with the time period for reply to the enclosed Office action, which is 3 months.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Reilly whose telephone number is 571-272-4228. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

September 1, 2006

  
GLENTON B. BURGESS  
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TECHNOLOGY CENTER 2100